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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

LABONTE

First Named Inventor

LABONTE, DAN

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

POWERED KICK-STAND

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed		Certified Copy Attached?	
			Yes		No	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

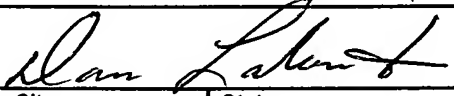
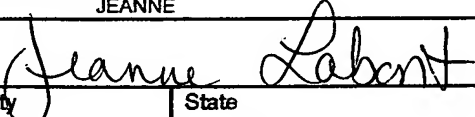
[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input type="checkbox"/> Customer Number. <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span> OR <input checked="" type="checkbox"/> Correspondence address below			
<b>Name</b> MIKE M. GAUTHIER			
<b>Address</b> 959 ELISABELLA STREET, UNIT C			
<b>City</b> SUDBURY	<b>State</b> ONTARIO	<b>ZIP</b> P3A 5K1	
<b>Country</b> CANADA	<b>Telephone</b> 1-705-566-8000	<b>Fax</b> 1-705-566-8001	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) DAN		<b>Family Name</b> or Surname LABONTE	
<b>Inventor's Signature</b> 		<b>Date</b> Jan 15/04	
<b>Residence: City</b> NORTH BAY	<b>State</b> ONTARIO	<b>Country</b> CANADA	<b>Citizenship</b> CANADIAN
<b>Mailing Address</b> 234 SECOND AVENUE EAST			
<b>City</b> NORTH BAY	<b>State</b> ONTARIO	<b>ZIP</b> P1B 1L4	<b>Country</b> CANADA
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) JEANNE		<b>Family Name</b> or Surname LABONTE	
<b>Inventor's Signature</b> 		<b>Date</b> Jan 15/04	
<b>Residence: City</b> NORTH BAY	<b>State</b> ONTARIO	<b>Country</b> CANADA	<b>Citizenship</b> CANADIAN
<b>Mailing Address</b> 234 SECOND AVENUE EAST			
<b>City</b> NORTH BAY	<b>State</b> ONTARIO	<b>ZIP</b> P1B 1L4	<b>Country</b> CANADA
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

Applicant or Patentee:  
For:

The Equalizer  
POWERED KICK-STAND

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(F) AND 1.27(B)) – INDEPENDENT INVENTOR**

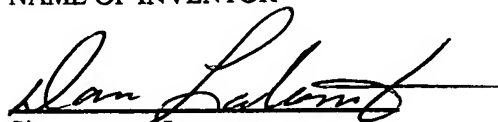
As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled POWERED KICK-STAND described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in the loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is declared.

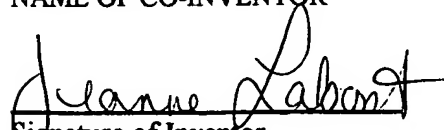
Dan Labonté  
NAME OF INVENTOR



Signature of Inventor  
For The Equalizer

Jan 15/04  
Date

Jeanne Labonté  
NAME OF CO-INVENTOR



Signature of Inventor  
For The Equalizer

Jan 15/04  
Date

## ASSIGNMENT OF PATENT RIGHTS

WHEREAS,

DAN LABONTÉ and JEANNE LABONTÉ, both co-inventors and both hereinafter referred to as Assignor, whose full postal address is:

234 Second Avenue East, North Bay, Ontario, P1B 1L4, Canada

have made an invention relating to and entitled:

### POWERED KICK-STAND

hereinafter referred to as The Invention, as fully set forth and described in the following Applications for Letters/Utility Patent:

<u>Country</u>	<u>Serial Number</u>	<u>Filing Date</u>
United States		

hereinafter referred to as The Application(s);

AND WHEREAS,

### THE EQUALIZER

hereinafter referred to as the Assignee, whose full postal address is:

234 Second Avenue East, North Bay, Ontario, P1B 1L4, Canada

desires to acquire Assignor's entire right, title and interest in and to The Invention;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby sell, assign, transfer and set over to Assignee, its successors, assigns, or legal representatives, its entire right, title and interest for Canada, the United States and all other countries throughout the World in and to The Invention, together with its entire right, title and interest in and to The Application(s) and any and all Letters Patent that may issue for The Invention, including any and all divisions, reissues, continuations and extensions, to the full end of the term for which each said Letters Patent may be granted, and including the right to claim priority, based on The Application(s), under the terms of any International Convention, the same to be held and enjoyed as fully and completely as the same would have been held and enjoyed by Assignor had this Assignment not been made;

AND ASSIGNOR, on behalf of itself and its executors and administrators, does hereby covenant and agree to do all such lawful acts and things and to execute without further consideration such further lawful assignments, document, assurances, applications and other instruments as may reasonably be required by said Assignee, its successors, assigns, or legal representatives, to obtain any and all Letters Patent for the Invention and vest the same in said Assignee, its successors, assigns, or legal representatives.

AND ASSIGNOR, on behalf of itself and its executors and administrators, does hereby authorize said Assignee, its successors, assigns, or legal representatives, including its Patent Agent, Mike M. Gauthier, to amend the present assignment to insert any missing filing date, serial number or other identifying information of the Application(s) when such information is made available.

DATED thi 2<sup>st</sup> day of May, 2003

Witnessed By:

Denise Gauthier  
\*\*\*\*\*

Signature

Denise Gauthier

Name

By:

Dan Labonté  
Assignor- Dan Labonté

and

Jeanne Labonté  
Co-Assignor- Jeanne Labonté